

would have no effect on 1997 spending and that there would be a future savings to current law if this bill is passed. I think we need to look carefully at really the background of this case, as Congressman DOOLITTLE and Congressman HASTINGS have set forth. This was a settlement agreement by the administration, the administration that the gentleman from California [Mr. MILLER] I believe supports more often than not, and I find myself not always in agreement with this administration on matters of policy but in this one they are right.

I have been practicing law for years and I know that a settlement is a good settlement if both parties agree, and it saves everybody a lot of time and effort and liability and exposure and money in the future, and that is really what this is about. We are going to have a savings of \$51 million plus legal fees ranging up to \$1 million. So I think that is something that all of us ought to take into great account as we decide whether this is a good bill or a bad.

Another thing that is very important, in my judgment, is that if this irrigation district wins only a partial settlement the U.S. taxpayers are still liable for whatever the court decides. The Bureau of Reclamation has stated that they are probably liable for at least \$4 million, but that is only an estimate.

My judgment is, let us get this settled, let us move on. If the United States were to win this lawsuit and not be liable for the \$51 million of exposure that they have, the taxpayers would still have to pay to maintain and operate these facilities. Taxpayer dollars can be better spent, Mr. Chairman, and the Colville Confederated Tribe in my district supports this, the Oroville-Tonasket Facilities District supports this, the Federal Government, Mr. Clinton, Mr. Babbitt support this. We should support it, too. Let the local officials of this irrigation district run this project. Repair the damage that exists and make it work for the farmers of this area.

Mr. Chairman, I conclude certainly by saying this is a cost saver. This is a taxpayer saving by passage of this bill. I urge my colleagues to support it.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in strong support of H.R. 412, Congressman DOC HASTINGS' bill to approve a settlement in a lawsuit filed by the Oroville-Tonasket Irrigation District against the Bureau of Reclamation.

This is a lawsuit which should not have happened. The Bureau of Reclamation was charged with designing and building an irrigation system for the District in north-central Washington State. Although the original canal and flume system date from the early 1900's, Congress has authorized rehabilitation, repair, redesign, and construction of new works in 1962, 1976, and 1987 in ever increasing amounts. But the system has never worked as promised. In 1990, the Bureau told the District that it was washing its hands of the system and sought repayments of approximately \$300,000 per year for the District's small

share of the project. However, the District refused payment, arguing that the irrigation system does not work as planned and that the project operation and maintenance costs were much higher than the Bureau of Reclamation had led them to believe. The District has filed two lawsuits in this case, the latest seeking \$51 million in damages and forgiveness of its repayment obligations.

I don't blame the District for withholding payment, because as you can see from the photographs of the project displayed in the chamber, this project is a turkey. I am also embarrassed for the Bureau, which has had decades to make this irrigation system work and failed. The District believes it can make the system deliver usable water by repairing it at a lower cost than the Federal Government. The Government agrees and is also seeking to be relieved of what could be substantial liability for this faulty system.

CBO believes enactment of H.R. 412 will probably save the U.S. Treasury and the taxpayers money. The vast majority of the project costs are not borne by the District, but the Bonneville Power Administration and by any calculation the District is foregoing much more in claims than is the Federal Government. This is not a give-away of a Federal asset, as some might have you believe.

Therefore, I ask Members to support H.R. 412 as reported from the Committee on Resources. The bill has bipartisan support from Members, the Administration, and even Citizens Against Government Waste. Let's put an end to this public works nightmare and settle what could be an expensive, protracted lawsuit.

Mr. DOOLITTLE. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. MILLER of California. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. DOOLITTLE. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HASTINGS of Washington) having assumed the chair, Mr. EVERETT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 412) to approve a settlement agreement between the Bureau of Reclamation and the Oroville-Tonasket Irrigation District, had come to no resolution thereon.

GENERAL LEAVE

Mr. DOOLITTLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 412.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California:

There was no objection.

□ 1545

RECESS

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to

clause 12 of rule I, the House stands in recess until approximately 5 p.m.

Accordingly (at 3 o'clock and 45 minutes p.m.), the House stood in recess until approximately 5 p.m.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HASTINGS of Washington) at 5 p.m.

OROVILLE-TONASKET CLAIM SETTLEMENT AND CONVEYANCE ACT

The SPEAKER pro tempore. Pursuant to House Resolution 94 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 412.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 412) to approve a settlement agreement between the Bureau of Reclamation and the Oroville-Tonasket Irrigation District, with Mr. EVERETT in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, all time for debate again had expired. The Committee amendment in the nature of a substitute printed in the bill shall be considered by sections as an original bill for the purpose of an amendment, and pursuant to the rule each section is considered read.

The CHAIRMAN. The Clerk will designate section 1.

The text of section 1 is as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Oroville-Tonasket Claim Settlement and Conveyance Act".

The CHAIRMAN. Are there any amendments to section 1?

The Clerk will designate section 2.

The text of section 2 is as follows:

SEC. 2. PURPOSES.

The purposes of this Act are to authorize the Secretary of the Interior to implement the provisions of the negotiated Settlement Agreement including conveyance of the Project Irrigation Works, identified as not having national importance, to the District, and for other purposes.

The CHAIRMAN. Are there any amendments to section 2?

If not, the Clerk will designate section 3.

The text of section 3 is as follows:

SEC. 3. DEFINITIONS.

As used in this Act:

(1) The term "Secretary" means the Secretary of the Interior.

(2) The term "Reclamation" means the United States Bureau of Reclamation.

(3) The term "District" or "Oroville-Tonasket Irrigation District" means the project beneficiary organized and operating under the laws of the State of Washington, which is the operating and repayment entity for the Project.